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February 8, 2016

**BY ECF & E-MAIL:**

Hon. Richard J. Sullivan  
United States District Judge  
Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square, Room 2104  
New York, NY 10007

Re: Nnebe v. Daus, 06 Civ. 4991 (RJS)

Your Honor:

We are co-counsel for plaintiffs and write to request the Court's guidance, either at a Case Management Conference or in writing, as to further steps, if any, the parties might take to bring the case to resolution.

This civil rights suit, seeking both § 1983 damages for individual taxi drivers and an injunction against ongoing unlawful government conduct, has been pending since 2006 (starting, of course, before Your Honor took the bench). A few days after Your Honor stated that a "directed verdict in this trial would appear inevitable" (Order of Jan. 10, 2014, ECF # 296) the Court tried the case, on the parties' consent, without a jury. The trial ended on January 21, 2014 and the Court issued findings of fact on August 8, 2014. After additional briefing, the Court heard oral argument on December 5, 2014. Our motion for class certification also remains pending, and there was discussion at the 2014 argument of further potential proceedings.

We appreciate the time and thoughtful attention the Court has given this case and its commitment to bringing the matter to its conclusion. We believe that it is in neither party's interest that these proceedings, on the Court of Appeals limited remand, be prolonged unnecessarily. We stand ready to work with the Court and defendants, addressing any outstanding issues and devising a course of proceeding that might prevent that from happening.

Respectfully,

/s/

Daniel L. Ackman  
David T. Goldberg

Janice Mac Avoy<sup>1</sup>  
Michael A. Kleinman  
*Co-Counsel for Plaintiffs*

cc: Mary O'Sullivan, Esq.  
Amy Weinblatt, Esq.

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<sup>1</sup> Mr. Weiner and Mr. Kleinman are counsel to plaintiffs the New York Taxi Workers Alliance, Amin and Avenaut.